

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA

*Note: There is one Extraordinary issue to the Official Gazette, Series I No. 36 dated 8-12-2005, namely: Extraordinary dated 14-12-2005 from pages 735 to 736 regarding Notification from Department of Transport (Directorate of Transport).*

### GOVERNMENT OF GOA

#### Department of Animal Husbandry

Directorate of Animal Husbandry &  
Veterinary Services

#### Order

2/20/96-AH(Part)/05-06/3941

Sanction of the Government is hereby accorded for opening of new Key Village Sub-Centre at Ashvem, Mandrem-Goa to cater the services of Animal Husbandry, first aid and Crossbreeding Programme in the area covering Ashvem, Zunaswado and surrounding area of Ashvem with immediate effect.

By order and in the name of the Governor of Goa.

Dr. T. T. Naik, Director (AH) & ex officio Joint Secretary.

Panaji, 2nd December, 2005.

#### Department of Law & Judiciary

Legal Affairs Division

#### Notification

10/2/2005-LA/2268

The Appropriation (No. 3) Act, 2005 (Central Act No. 34 of 2005), which has been passed by the Parliament and assented to by the President of

India on 24-8-2005 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 25-8-2005, is hereby published for general information of the public.

Sharad G. Marathe, Under Secretary (Drafting).

Panaji, 9th November, 2005.

### THE APPROPRIATION (NO. 3) ACT, 2005

AN

ACT

*to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2005-06.*

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Appropriation (No. 3) Act, 2005.

2. *Issue of Rs. 14661,36,00,000 out of the Consolidated Fund of India for the financial year 2005-06.*— From and out of the Consolidated Fund of India, there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of fourteen thousand six hundred sixty-one crores and thirty-six lakh rupees towards defraying the several charges which will come in the course of payment during the financial year 2005-06 in respect of the services specified in column 2 of the Schedule.

3. *Appropriation.*— The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

## THE SCHEDULE

(See sections 2 and 3)

No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
1	2	3		
		Rs.	Rs.	Rs.
1	Department of Agriculture and Cooperation .....Revenue	2,00,000	...	2,00,000
	Capital	1,00,000	...	1,00,000
3	Department of Animal Husbandry and Dairying.....Revenue	2,00,000	...	2,00,000
9	Ministry of Civil Aviation.....Revenue	73,33,00,000	...	73,33,00,000
12	Department of Commerce .....Revenue	24,03,00,000	...	24,03,00,000
	Capital	1,00,000	...	1,00,000
13	Department of Industrial Policy and Promotion .....Revenue	1,00,000	...	1,00,000
	Capital	...	39,00,000	39,00,000
14	Department of Posts .....Revenue	...	4,00,000	4,00,000
	Capital	...	17,00,000	17,00,000
15	Department of Telecommunications.....Revenue	1216,67,00,000	...	1216,67,00,000
19	Department of Food and Public Distribution.....Revenue	2,00,000	...	2,00,000
30	Ministry of Environment and Forests.....Revenue	3,00,000	...	3,00,000
	Capital	8,01,00,000	...	8,01,00,000
32	Department of Economic Affairs.....Revenue	2,00,000	...	2,00,000
34	Payments to Financial Institutions .....Revenue	2,00,000	...	2,00,000
	Capital	500,00,00,000	...	500,00,00,000
36	Transfers to State and Union territory Governments.....Revenue	1846,49,00,000	1,00,000	1846,50,00,000
	Capital	...	3376,00,00,000	3376,00,00,000
39	Department of Expenditure .....Revenue	1,00,000	...	1,00,000
42	Department of Revenue .....Revenue	1,00,000	...	1,00,000
47	Department of Health.....Revenue	1,00,000	...	1,00,000
	Capital	25,00,00,000	...	25,00,00,000
48	Department of Ayurveda, Yoga and Naturopathy, Unani, Sidha and Homoeopathy (AYUSH) .....Revenue	1,00,000	...	1,00,000
49	Department of Family Welfare .....Revenue	1,00,000	...	1,00,000
50	Department of Heavy Industry .....Revenue	69,02,00,000	...	69,02,00,000
	Capital	1,00,000	...	1,00,000
52	Ministry of Home Affairs.....Revenue	1,00,000	...	1,00,000
	Capital	1,00,000	...	1,00,000
53	Cabinet .....Revenue	1,00,000	...	1,00,000
54	Police .....Capital	...	2,26,00,000	2,26,00,000
55	Other Expenditure of the Ministry of Home Affairs..Revenue	1,00,000	...	1,00,000
56	Transfers to Union territory Governments .....Revenue	2,16,00,000	...	2,16,00,000
57	Department of Elementary Education and Literacy...Revenue	1,00,000	...	1,00,000
59	Department of Women and Child Development .....Revenue	3,00,000	...	3,00,000
61	Ministry of Labour and Employment .....Revenue	50,01,00,000	...	50,01,00,000
63	Law and Justice .....Revenue	100,01,00,000	...	100,01,00,000
65	Ministry of Non-Conventional Energy Sources .....Revenue	3,00,000	...	3,00,000
70	Ministry of Personnel, Public Grievances and Pensions .....Revenue	1,00,000	...	1,00,000
71	Ministry of Petroleum and Natural Gas .....Revenue	5762,85,00,000	...	5762,85,00,000
73	Ministry of Power.....Revenue	1100,00,00,000	...	1100,00,00,000
79	Department of Rural Development .....Revenue	2,00,000	...	2,00,000
83	Department of Scientific and Industrial Research...Revenue	1,00,000	...	1,00,000
85	Department of Shipping.....Revenue	1,00,000	...	1,00,000
86	Department of Road Transport and Highways.....Revenue	1,00,000	...	1,00,000
87	Ministry of Small Scale Industries .....Revenue	3,20,00,000	...	3,20,00,000
88	Ministry of Social Justice and Empowerment.....Revenue	1,00,000	...	1,00,000
92	Ministry of Textiles .....Revenue	2,00,000	...	2,00,000
94	Ministry of Tribal Affairs.....Revenue	...	1,00,000	1,00,000
99	Lakshadweep .....Revenue	1,27,00,000	...	1,27,00,000
100	Department of Urban Development .....Capital	500,00,00,000	...	500,00,00,000
105	Ministry of Youth Affairs and Sports .....Revenue	1,00,000	...	1,00,000
Total : .....		11282,48,00,000	3378,88,00,000	14661,36,00,000

**Notification**

10/2/2005-LA

The Taxation Laws (Amendment) Ordinance, 2005 (Ordinance No. 4 of 2005), which has been promulgated by the President in the Fifty-sixth Year of the Republic of India and published in the Gazette of India, Extraordinary, Part II, Section 1, No. 58 dated 31-10-2005, is hereby published for general information of the public.

Sharad G. Marathe, Under Secretary (Drafting).

Panaji, 2nd December, 2005.

**MINISTRY OF LAW AND JUSTICE**

(Legislative Department)

New Delhi, the 31st October, 2005/Kartika 9, 1927 (Saka)

"C.O.209"

**THE TAXATION LAWS (AMENDMENT)  
ORDINANCE, 2005**

No. 4 of 2005

*Promulgated by the President in the Fifty-sixth  
Year of the Republic of India.*

An Ordinance further to amend the Income-tax Act, 1961 and the Finance Act, 2005.

Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

**CHAPTER I**

**Preliminary**

1. *Short title and commencement.*— (1) This Ordinance may be called the Taxation Laws (Amendment) Ordinance, 2005.

(2) It shall come into force at once.

**CHAPTER II**

**Amendments to the Income-Tax Act, 1961**

2. *Amendment of section 10.*— In section 10 of the Income-tax Act, 1961 (hereafter in this Chapter referred to as the Income-tax Act), with effect from the 1st day of April, 2006,— 43 of 1961.

(a) in clause (6BB), for the words, figures and letters "or entered into after the 30th day of September, 2005 and approved by the Central Government in this behalf", the words, figures and letters "or entered into after the 31st day of March, 2006 and approved by the Central Government in this behalf" shall be substituted;

(b) in clause (15A), in the proviso, for the words, figures and letters "the 1st day of October, 2005", the words, figures and letters "the 1st day of April, 2006" shall be substituted;

(c) after clause (38), the following clauses shall be inserted, namely:—

'(39) any specified income arising, from any international sporting event held in India, to the person or persons notified by the Central Government in the Official Gazette, if such international sporting event—

(a) is approved by the international body regulating the international sport relating to such event;

(b) has participation by more than two countries;

(c) is notified by the Central Government in the Official Gazette for the purpose of this clause.

*Explanation.*— For the purpose of this clause, "the specified income" means the income, of the nature and to the extent, arising from the international sporting event, which the Central Government may notify in this behalf;

(40) any income of any subsidiary company by way of grant or otherwise received from an Indian company, being its holding company engaged in the business of generation, transmission or distribution of power if such receipt is for settlement of dues in connection with reconstruction or revival of an existing business of power generation:

Provided that the provisions of this clause shall apply if reconstruction or revival of any existing business of power generation is by way of transfer of such business to the Indian company notified under sub-clause (a) of clause (v) of sub-section (4) of section 80-IA;

(41) any income arising from transfer of a capital asset, being an asset of an undertaking engaged in the business of generation, transmission or distribution of power where such transfer is effected on or before the 31st day of March, 2006 to the Indian company notified under sub-clause (a) of clause (v) of sub-section (4) of section 80-IA.

3. *Amendment of section 80-IA.*— In section 80-IA of the Income-tax Act, in sub-section (4), after clause (iv), the following clause shall be inserted with effect from the 1st day of April, 2006, namely:—

“(v) an undertaking owned by an Indian company and set up for reconstruction or revival of a power generating plant, if—

(a) such Indian company is formed before the 30th day of November, 2005 with majority equity participation by public sector companies for the purposes of enforcing the security interest of the lenders to the company owning the power generating plant and such Indian company is notified before the 31st day of December, 2005 by the Central Government for the purposes of this clause;

(b) such undertaking begins to generate or transmit or distribute power before the 31st day of March, 2007.”

4. *Amendment of section 115W.*— In section 115W of the Income-tax Act, in clause (a), with effect from the 1st day of April, 2006,—

(a) for sub-clause (iii), the following sub-clause shall be substituted, namely:—

“(iii) an association of persons or a body of individuals, whether incorporated or not;”

(b) after sub-clause (v), the following proviso shall be inserted, namely:—

“Provided that any person eligible for exemption under clause (23C) of section 10 or registered under section 12AA or a political party registered

under section 29A of the Representation of the People Act, 1951 shall not be deemed to be an employer for the purposes of this Chapter;”.

### CHAPTER III

#### Amendments to the Finance Act, 2005

5. *Amendment of section 94.*— In Chapter VII of the Finance Act, 2005 (hereafter in this Chapter referred to as the Finance Act), in section 94, with effect from the 1st day of June, 2005,—

(a) after clause (3), the following clause shall be inserted and shall be deemed to have been inserted, namely:—

“(3A) “banking company” means a company to which the Banking Regulation Act, 1949 applies and includes any bank referred to in section 51 of that Act;”

(b) after clause (4), the following clause shall be inserted and shall be deemed to have been inserted, namely:—

“(4A) “co-operative bank” shall have the meaning assigned to it in Part V of the Banking Regulation Act, 1949;”

6. *Insertion of new section 112A.*— In Chapter VII of the Finance Act, after section 112, the following section shall be inserted and shall be deemed to have been inserted with effect from the 1st day of June, 2005, namely:—

“112A.— *This Chapter not to apply in certain cases.*— The provisions of this Chapter shall not apply to, or in relation to, the taxable banking transactions entered into on or after the 1st day of June, 2005,—

(a) between a scheduled bank and a banking company or a co-operative bank; or

(b) between a scheduled bank and another scheduled bank.”

A. P. J. ABDUL KALAM,  
President.

T. K. VISWANATHAN,  
Secy. to the Govt. of India.

## Department of Personnel

## Notification

1/4/90-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and in supersession of the existing Recruitment Rules for the relevant post, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Group 'B', Non-Ministerial, Gazetted post in the Directorate of Health Services, Government of Goa, namely:—

1. Short title, application and commencement.—  
(1) These rules may be called the Government of Goa, Directorate of Health Services, Group 'B', Non-Ministerial, Gazetted post, Recruitment Rules, 2005.

(2) They shall apply to the post specified in column (1) of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of their publication in the Official Gazette.

2. Number, classification and scale of pay.—  
The number of posts, classification of the said post and the scale of pay attached thereto shall be as specified in columns (2) to (4) of the said Schedule:

Provided that the Government may vary the number of posts in column (2) of the said Schedule from time to time subject to exigencies of work.

3. Method of recruitment, age limit and other qualifications.— The method of recruitment to the said post, age limit, qualifications and other matters connected therewith shall be as specified in columns (5) to (13) of the said Schedule.

4. Disqualification.— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Power to relax.— Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and in consultation with the Goa Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

6. Saving.— Nothing in these rules shall affect reservations, relaxation of age limit and other concessions required to be provided for Scheduled Castes and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

7. These rules are issued in consultation with the Goa Public Service Commission conveyed vide their letter No. COM/II/13/24(1)/2004 dated 14-10-2005.

By order and in the name of the Governor of Goa.

Gurudas P. Pilarnekar, Joint Secretary (Personnel).

Porvorim, 30th November, 2005.

**SCHEDULE**

742  
SERIES I No. 37

OFFICIAL GAZETTE — GOVT. OF GOA

15TH DECEMBER, 2005

Name/ Designation of post	Number of posts	Classifi- cation	Scale of pay	Whether selection post or non- selec- tion post	Age limit for direct recruits	Whether the benefit of added years of service is admissible under Rule 30 of CCS (Pen- sion) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of proba- tion, if any	Method of recruitment, whether by direct or by promotion or by deputation/ /transfer/ /contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/ /deputation/ /transfer, grades from which promotion/ /deputation/ /transfer is to be made	If a D.S.C./ /D.P.C. exists, what is its composition	Circum- stances in which Goa Public Service Commis- sion is to be consulted in making recruit- ment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
Sister Tutor.	6 (2005) subject to varia- tion depen- dent on work load.	Group 'B' Non- Minis- terial, Gaze- tted.	Rs. 6,500- 200- 10,500.	Sele- ction.	Not exceed- ing 40 years (relaxable for Govern- ment servants upto 5 years in accordance with the instruc- tions or orders issued by the Govern- ment).	No.	<p><b>Essential:</b></p> <p>(i) Master of Nursing, failing which, B.Sc./Post Basic B. Sc. failing which Diploma in Nursing Education and Administration or any other equivalent Post Basic Diploma in Nursing.</p> <p>(ii) Four years of experience as Ward Sister/Ward master/Brother/Public Health Nurse/Clinical Instructor or equivalent.</p> <p>(iii) Knowledge of Konkani, but in case of non-availability of a suitable candidate with the knowledge of Konkani, this requirement can be relaxed.</p> <p><b>Desirable:</b></p> <p>(i) Teaching experience of two years.</p> <p>(ii) Knowledge of Marathi.</p>	Age: No. Educa- tional Qualifi- cations: Yes.	Two years.	By promotion failing which by direct recruitment.	<p><b>Promotion:</b> Ward Sister/ /Public Health Nurse/Ward Master/ /Brother/ /Clinical Instructor with 4 years regular service in the respective grade.</p>	<p>Group 'B' DPC consisting of:- (1) Chair- man/ /Member, Goa Public Service Commission —Chairman.  (2) Chief Secretary or his nominee —Member  (3) Adminis- trative Secretary/ /Head of Department —Member.</p>	<p>Consulta- tion with the Goa Public Service Commis- sion is necessary while making direct recruit- ment, promo- tion, confirma- tion and for amend- ing/ /relaxing any of the provi- sions of these rules.</p>